

## **Panel discussion on the negative impact of the legacies of colonialism on the enjoyment of human rights**

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Chair, Committee on the Elimination of Racial Discrimination.

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(Check against delivery)

Your Excellency. Mr. Federico Villegas, President of the Human Rights Council; Ms Nada Al-Nashif, Acting United Nations High Commissioner for Human Rights; representatives of States; Ms Tendayi Achiume, Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination and Related Intolerance; other distinguished panelists, online guests and members of civil society organizations, a very good afternoon to you.

Now, John Ruedy and Jurgen Osterhammel in their 1998 book, define colonialism as a “*relationship of domination between an indigenous (or forcibly imported) majority and a minority of foreign invaders. The fundamental decisions affecting the lives of colonized people were made and implemented by the colonial rulers in the pursuit of interests that were often defined in a distant metropolis.*”<sup>1</sup> Of course, colonialism has always had its opponents. The preamble to the International Convention on All Forms of Racial Discrimination (ICERD) condemns colonialism and all practices of segregation and discrimination associated with them, in whatever form and wherever they exist; and the Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960 (General Assembly resolution 1514 (XV)) affirmed and solemnly proclaimed the necessity of bringing them to a speedy and unconditional end. Furthermore, in Resolution 48/7, the Council recalled the Declaration on the Granting of Independence to Colonial Countries and Peoples and acknowledged that the period 2021-2030 is the Fourth International Decade for the Eradication of Colonialism designated by the General Assembly.

Since 1960 many former colonies have indeed achieved independence, officially leaving only the 17 covered by article 15 of the ICERD; but there are still those, e.g. the overseas departments or overseas territories and those which do not sit comfortably with their status as incorporated states, that have a desire for independence. Of course, there were countries in the Caribbean, Africa, Asia, North America and Latin America that fought for and won their independence way before 1960, Ayiti/Haiti, being a shining example.

Political independence and decolonization efforts, however, have not meant the end of the evil called colonialism. It is widely argued that decolonization gave ex-colonies freedom of action, but seldom the opportunity to exploit it to full advantage because firstly, economic decolonization does not necessarily accompany political decolonization. This is the reality of the Caribbean where the effects of colonization are ubiquitous. One reason is that the development that was expected to accompany independence did not materialize for many former colonial countries; the right to development not recognized. Therefore the extent to which former colonies have been able to enjoy socio-economic rights has been hampered by the lingering legacies of colonialism, especially the ideology of white supremacy. The ideological rationale and

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<sup>1</sup> John Ruedy, *Jurgen Osterhammel, Colonialism: A Theoretical Overview, trans. From German by Shelley L. Frisch*, 30 Int’l J. Middle East Stud. 588-590 (1998), pp. 16-17.

basis for colonialism or the thoughts that were used to justify white supremacy have not been totally decolonized. In other words, the post-colonial world has retained forms of colonialism as expressed through manipulation, exploitation, cultural expropriation and inequalities, even if colonialism itself as a political phenomenon belongs to the past.

Today we see the effects of colonialism manifested in environmental degradation which has led to climate change, economic underdevelopment, racial profiling, racial discrimination and acts resulting from hatred of “the other.” We see structural or systemic racism and poor social infrastructure, manifested in unequal access to health-care, education and social justice. It is true that Article 6 of the ICERD calls on States Parties to assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his/her human rights and fundamental freedoms contrary to the Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination. But colonialist mentalities often result in the failure to do so. The impact of past wrongs also affect the ability of States to provide the needed infrastructure to serve their population.

These contemporary socio-economic problems are not unconnected to the past. Taking the Caribbean as an example, we know that the legacies of colonialism run deep and are rooted in historical injustices; injustices long acknowledged but not acted on. A. Creech Jones, an MP and member of the Colonial Office Advisory Committee on Education, wrote this on 5 April 1939:

*“We carry a grave responsibility for a colonial policy based on cheap labour and cheap raw materials. The facts are out, and we can no longer plead ignorance and indifference. Of course, there has been official irresponsibility and the dominance of narrow calculating colonial interests. We can point to years of criminal neglect when official ineptitude and sloth have permitted affairs to drift and the islands to sink into unparadiseable misery. Now a point has been reached when action is desperately urgent and British concern must be paid in hard cash. The hopeless squalor of today is in a real way the measure of the shortcomings of our colonial policy and of our economic neglect.”<sup>2</sup>*

Two examples of colonial injustices will suffice. The first is France’s extraction of reparation from Haiti; for when Haiti won its independence 218 years ago, it came at a hefty price – said by President Aristide in 1804 on the occasion of the Haitian bicentenary to amount to US\$21B. Constant Méheut and Matt Apuzzo revealed publicly in the *New York Times* that a more precise price tag for the double debt (these payments, and a loan from a French bank to cover them) was 112 million francs, or about \$560 million USD today.<sup>3</sup> Imagine what that money could do for Haiti today.

The second example is that at Emancipation, British Caribbean planters were paid £20M as compensation, £27M more if the extra 4 years called Apprenticeship is monetized. In addition to the economic injustice, the very method of calculation was racist because it deemed African people property. Over 46,000 claims were filed for an estimated 850,000 enslaved Africans in 21 colonies stretching from the Caribbean to Mauritius and the Cape of Good Hope. Also 40%-50% of the £20M compensation money stayed in the UK, and was distributed among 3,000 people. The other 50% was distributed among planters in the colonies, with 16, 114 claims filed for enslaved people in Jamaica by enslavers in the USA, UK and throughout the Atlantic World,

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<sup>2</sup> Hilary Beckles, *How Britain Underdeveloped the Caribbean* (Kingston: The UWI Press, 2021), pp. ix

<sup>3</sup> Lazaro Gamio, Constant Meheut, Catherine Porter, Selam Gebrekidan, Allison McCann, Matt Apuzzo, “The Ransom: Haiti’s Lost Billions”, *The New York Times*, 20 May 2022.

totaling approximately £10.98 million pounds.<sup>4</sup>

As we know, the compensation money was invested in the UK, not in the Caribbean, where underdevelopment continues. The Caribbean's plantation economy was an important cog in Britain's burgeoning Atlantic trading system. Such was the region's productive capacity that Richard Sheridan estimated Jamaica's total wealth in 1775 at £18 million pounds sterling.<sup>5</sup> Sheridan's estimates have since been revised by Trevor Burnard who argues that the island's wealth was, at £25 million pounds sterling, some £7 million (or 39%) higher. Such wealth was a testimonial of the island's productive capacity and, more importantly, its economic viability during the eighteenth century. When compared to mainland North America, Caribbean planters' per capita earnings were significantly greater than their mainland counterparts. Burnard suggested that per capita wealth among whites in the Caribbean was £1,042.5 pounds compared to only £60.2 pounds per white person in Britain's mainland territories.<sup>6</sup> The plantation economy was so strong by the early nineteenth century that Barry Higman suggested that its productive capacity could be compared to emerging industrial economies at the time.<sup>7</sup> Indeed, Britain earned £5,000,000 per year from sugar during the peak of the industry and over a century alone made £500,000,000; equated by some scholars to over £2.5 trillion today.<sup>8</sup>

The CARICOM Region entered independence without any reparation; and every attempt to demand it to aid development has been met with refusal by European States. When the independence leaders of the 1960s were refused a respectable development plan from Britain, Eric Williams had this to say: "The West Indies are in the position of an orange. *The British have sucked it dry and their sole concern today is that they should not slip and get damaged on the peel.*"<sup>9</sup>

The Durban Declaration and Programme of Action (DDPA) remains a profound milestone in articulating the harms of colonialism, both historically and in the present, emphasizing the structural forms of racism and racial discrimination that to this day require urgent attention. In the DDPA, Member States recognized that colonialism has led to racism, racial discrimination, xenophobia and related intolerance and that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples were victims of colonialism and continue to be victims of its consequences.

In his 1952 *Black Skin, White Mask*, Franz Fanon analyzed the impact of colonialism and its deforming effects, and argued that white colonialism imposed an existentially false and degrading existence upon its black victims to the extent, that it demanded their conformity to its distorted values. Of course we can analyse all post-colonial and colonial societies and see that even if conformity was demanded, colonised people could not then and cannot now give in to these distorted values.<sup>10</sup> Every form of subjugation

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4 Catherine Hall, "Opinion: The Slavery Business Contributed to the Building of Modern Britain," *UCL News*, 24 June 2020.

5 Richard Sheridan, "The Wealth of Jamaica in the Eighteenth Century," *The Economic History Review*, New Series, 18, no. 2. 292-311, 1965

6 Trevor Burnard, "'Prodigious Riches': The Wealth of Jamaica before the American Revolution" *Economic History Review*. 54. No.3: 506-24. 2001

7 Barry Higman, *Plantation Jamaica, 1750-1850: Capital and Control in a Colonial Economy*, (Kingston: University of the West Indies Press, 2005)

8 Richard Sheridan, *Sugar and Slavery: An Economic History of the British West Indies 1624-1775*. Orig. publication 1974. New Edn (Kingston: University of the West Indies Press, 2000)

9 Hilary Beckles, *How Britain Underdeveloped the Caribbean* (Kingston: The UWI Press, 2021), p. 3

10 Frantz Fanon, *Black Skin, White Masks*, (France, Editions du Seuil, 1952)

generates an opposing struggle for liberation. So the impact of colonialism is protest.

“*Colonialism is History in the West*”, said a South African writer, “*but in our countries, colonialism is now.*” This was taken from an article by Rachel Chason, the *Washington Post*’s West African Bureau chief and headlined “*In former British colonies, ghosts of past haunt mourning for the Queen [of England]*”. The article went on to outline British colonial atrocities committed shortly after Elizabeth of Windsor ascended the throne and to explain why throughout England’s former colonies some of which fought violent struggles to secure their independence, the reaction to Queen Elizabeth’s death has been decidedly more complicated.<sup>11</sup>

So an HRC dialogue focused on colonialism so soon after the death of a British monarch who ruled a vast empire that still calls for reparatory justice for colonial wrongs, is timely.

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<sup>11</sup> Rael Ombour, Rachel Chalson, Meena Venkataramanan, *Washington Post*, 12 September 2022.